

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

EAST

Atty. Ref.: 4209-29

Serial No. 10/815,992

Group: 3743

Filed: April 2, 2004

Examiner: Duong, T.

For: DIFFUSION BONDED WIRE MESH HEAT SINK

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Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

ELECTION UNDER 35 USC §121

In response to the Office Action dated June 2, 2005 (for which a one-month extension of time is hereby sought), Applicants elect species A in the event that no generic claim is finally held to be allowable.

Applicants respectfully traverse the species restriction included in the Office Action mailed on June 2, 2005, at least to the extent that the Office Action opined no generic claim. On the contrary, Applicants believe that claims 1 – 5, 18 – 23, and 36 – 40 ARE generic (cover all species and embodiments), and that claims 13 – 16 and 31 – 34 cover both species D and E.

Insofar as species are concerned, Applicants the following chart reflects claims which are readable on species A – E (in addition to the claims listed above as being generic):

Species	claims
Species A - Fig. 1A – Fig. 1C	6 – 9, 24 – 27, 41
Species B - Fig. 2A – Fig. 2C	10, 28, 42
Species C - Fig. 3A – Fig. 3C	11, 29 – 30, 43 – 44
Species D - Fig. 4A – Fig. 4F	13 – 16, 31 – 34
Species E - Fig. 5A – Fig. 5E	13 – 16, 17, 31 – 34, 35

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It is respectfully requested that the non-elected claims be retained.

The Commissioner is authorized to charge the undersigned's deposit account no. 14-1140 in whatever amount is necessary for entry of this Amendment and the continued pendency of the captioned application, including but not limited to any extension of time fees.

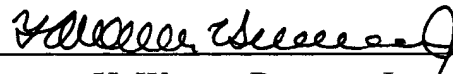
Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,

NIXON & VANDERHYE P.C.

July 14, 2005

By: _____



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